

The City Council met in special session at the hour of 8:00 a.m. in the Council Chamber, City Hall, on the day above written for continued consideration of the FY 2004 City of Fresno Budget.

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| Present: | Brian Calhoun | Councilmember |
| | Brad Castillo | Acting Council President |
| | Mike Dages | Councilmember |
| | Jerry Duncan | Councilmember |
| | Henry Perea | Councilmember |
| | Cynthia Sterling | Councilmember |
| | Tom Boyajian | Council President |

Dan Hobbs, City Manager
Andy Souza, Assistant City Manager
Hilda Cantu Montoy, City Attorney
Becky Klisch, City Clerk
Rene Smith, Budget Manager
Yolanda Salazar, Assistant City Clerk

City Manager Hobbs led the Pledge of Allegiance to the Flag.

(8:00 A.M.) CONTINUED CONSIDERATION OF THE FY 2003-2004 CITY OF FRESNO BUDGET

(A) DELIBERATIONS ON THE FY 04 BUDGET - HEARING CLOSED ON JUNE 24, 2003

- 1. RECONSIDERATION OF *RESOLUTION 2003-207 AUTHORIZING THE CITY MANAGER TO SUBMIT THE FY 2004 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS, AND AUTHORIZING THE CITY MANGER TO SIGN ALL HUD DOCUMENTS AND AGREEMENTS (ADOPTION REAFFIRMED)**
- 2. * RESOLUTION NO. 2003-209 - ADOPTING THE FY 2004 CITY OF FRESNO BUDGET INCLUDING THE CDBG BUDGET AND THE ANNUAL APPROPRIATION RESOLUTION (AAR)**
- 3. *RESOLUTION NO. 2003-210 - ADOPTING THE POSITION AUTHORIZATION RESOLUTION (PAR)**
- 4. * RESOLUTION NO. 2003-211 - ADOPTING THE 409TH AMENDMENT TO THE MASTER FEE SCHEDULE (MFS) RES. 80-420 (ANNUAL AMENDMENT)**
- 5. * BILL NO B-57 - ORDINANCE NO. 2003-57 - (INTRODUCTION AND ADOPTION) ADOPTING THE PROPERTY TAX OVERRIDE (PTO) ORDINANCE**
- 6. RESOLUTION NO. 2003-212 - SELECTION OF METHODOLOGY FOR DETERMINING FY 2004 GANN APPROPRIATION LIMIT**
- 7. * RESOLUTION NO. 2003-213 - ESTABLISHING RULES FOR THE APPLICATION OF CITY EMPLOYEE COMPENSATION RATES AND SCHEDULES AND RELATED REQUIREMENTS, AND ESTABLISHING COMPENSATION RATES AND SCHEDULES (FY 04 SALARY RESOLUTION)**

(B) BILLS FOR INTRODUCTION RELATING TO RECOVERY OF COSTS AND PENALTIES INCURRED OR IMPOSED

- 1. * BILL NO. B-58 - ADDING ARTICLE 20 TO CHAPTER 6 OF THE FRESNO MUNICIPAL CODE RELATING TO HAZARDOUS SPILLS EXPENSE RECOVERY**
- 2. * BILL NO. B-59 - AMENDING SECTIONS OF THE FRESNO MUNICIPAL CODE RELATING TO RECOVERY OF COST AND PENALTIES INCURRED OR IMPOSED IN ENFORCEMENT OF NUISANCE ABATEMENT ACTIONS**

President Boyajian announced the time had arrived to continue budget deliberations.

MOTION #36 - DEFUND THE FILM COMMISSION BY \$100,170 LEAVING \$50,000 FOR SPECIAL PROJECTS

Councilmember Dages confirmed his motion with the funds to go to the fire department, and leave \$50,000 for special projects which would go to the Convention & Visitors Bureau (CVB), advised the purpose was because he had not seen any major films or the film industry here in Fresno, and stated funding for the film commission was originally designed to create and generate revenues for the economy and he did not feel it had done that in the past two years. Upon question of Councilmember Sterling, Councilmember Dages clarified the funds would go to the fire department to offset the fire station in southeast Fresno. City Manager Hobbs stated the motion to defund the film commission was clear but this was the first time he was hearing the funds would be put into a particular fire station in a particular district and brief discussion ensued

Mayor Autry stated the film commission had already made a significant economic impact and was working and explained, and urged Council to give it a chance to continue. Councilmember Duncan spoke in opposition to the motion stating it was inappropriate, questioned if any council member had ever sat down with the Mayor to talk about their expectations stressing they should have communicated with the executive branch, and expressed his concern stating the motion was based on nothing but a performance measure that no one knew anything about. Mayor Autry responded and commented further on the film commissioner landing a major country music festival, if it stays on tract, for Kearney park, and urged Council not to just not kill the commission adding he would work with Council on some restructuring.

Acting President Castillo requested the motion be amended to state the funds would go to the fire department/general fund, which was accepted by the motion-maker. Acting President Castillo spoke to the issue stating Council's expectations with the Mayor's Hollywood connections had not been lived up to, stressed Sacramento's budget situation was still unclear and Council needed to prepare for that, and added every position in the city had to prove itself and he was not sure the film commission had. Councilmember Calhoun expressed his concern stating changes were happening again, and noted approximately \$250,000 was taken out of the fire department and now funds were trying to be put back in through the back door stating it was inappropriate and no way to operate. Councilmember Perea stated times were tough across the state, Council needed to make some tough choices, and stated he could not support the film commission.

President Boyajian stated the number one question was 'what has the commission done?', advised he took it upon himself to find out who the film commissioner was and what she did and noted it was painstaking and like pulling teeth to find out, and upon his request Film Commissioner Mary Ann Rossi introduced herself to Council and along with Mayor Autry explained her duties, spoke to the commission's contributions to the community, and responded at length to Council questions.

Discussion ensued and questions were presented on the \$50,000 for the CVB including whether they would be administered by the City or the CVB, what the CVB's relationship was to the film commission, and what type of events/programs the \$50,000 in Special Projects paid for, with Councilmember Dages and Deputy Mayor Montero responding.

Gigi Gibbs, County Tourism Director, responded briefly to questions of President Boyajian relative to her work with Fresno County, how she collaborates with the City **(2 - 0)**, and if the County hired Ms. Gibbs to generate revenues.

On motion of Councilmember Dages, seconded by Acting President Castillo, duly carried, RESOLVED, Motion #36 hereby approved, as amended, with the \$100,170 to go to the General Fund, by the following vote:

| | | |
|--------|---|----------------------------------|
| Ayes | : | Castillo, Dages, Perea, Sterling |
| Noes | : | Calhoun, Duncan, Boyajian |
| Absent | : | None |

MOTION #38 - DESIGNATE \$1.9 MILLION OF NEIGHBORHOOD INFRASTRUCTURE TO FUND COUNCIL PROJECTS WITH THE FUNDS DIVIDED EQUALLY BETWEEN THE SEVEN DISTRICTS

Reviewed by Councilmember Dages noted this was done last year (in the amount of \$2.1 million) and would allow each council member to determine where the money goes and for what projects in his/her districts. City Manager Hobbs clarified these funds would be in addition to the \$175,000 neighborhood infrastructure money that currently goes to each district, and Public Works Director Ruiz explained how the funds are used and how projects are determined. Mr. Hobbs stated his concern was \$145,000 was originally allocated to each district for neighborhoods, noted it was increased to \$175,000 the last 2 years and it would now be increased to approximately \$446,000 per district, and upon his question President Boyajian stated the 15% rule for non-infrastructure needs would only apply to the \$175,000.

Councilmember Duncan stated last year there were projects that were scheduled and not completed and questioned which and what type projects were not completed, with Street Maintenance Manager Momen responding. Councilmembers Duncan and Calhoun spoke in opposition to the motion stating inner-city areas, where projects and priorities were much greater than other parts of the city, would be hurt the most and stated staff, as the experts, should set the priorities. Councilmember Perea spoke in support of the motion stating this would benefit the entire city, Council knew their neighborhoods best and where the biggest needs were, and he wanted a little more say-so for his district and much more money was needed to address all the needs. City Attorney Montoy and Mr. Hobbs responded to questions of Councilmember Sterling relative to how left-over funds from last year were handled and how projects were selected. Upon question of Councilmember Dages, Mr. Ruiz confirmed technically all the funds could be spent on one project and Council would not have any control. Councilmember Dages stated that was the point he wanted to make and spoke briefly to the Home Depot project in his district. Councilmember Duncan stated everyone recognized district needs were different and recommended the motion be amended to have staff meet with each council member and report back to Council with priorities. Acting President Castillo stated people were speaking to the \$400,000+ for each district like it was a bad thing and emphasized this was an investment in neighborhoods, and spoke to badly needed sidewalks repairs/improvements and resulting injuries, with Ms. Montoy responding to his questions relative to the number of lawsuits filed against the city. President Boyajian clarified this was not a vote against the public works department and acknowledged he was probably giving up some money on this vote but stressed for years there had been no investment in the inner-city and he was now seeing the benefits to neighborhoods.

On motion of Councilmember Dages, seconded by Councilmember Perea, duly carried, RESOLVED, Motion #38 hereby approved, by the following vote:

Ayes : Castillo, Dages, Perea, Sterling, Boyajian
Noes : Calhoun, Duncan
Absent : None

MOTION #39 - FUND \$6,000 TO REPLACE THE METAL DOORS IN THE EXECUTIVE OFFICES AND \$3,000 TO IMPROVE THE LIGHTING IN THE RECEPTION AREA WITH FUNDS TO COME FROM GENERAL SERVICES FACILITIES MANAGEMENT ORG. 530701/FUND 51001

Councilmember Calhoun stated the motion was self-explanatory and the funds were available.

A motion of Councilmember Calhoun, seconded by Councilmember Sterling, to approve Motion #39 failed, by the following vote:

Ayes : Calhoun
Noes : Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Absent : None

MOTION #40 - DIRECT THE HUMAN RELATIONS COMMISSION (HRC) TO LIMIT ACCEPTANCE OF APPLICATIONS FOR SOCIAL SERVICES FUNDING TO GROUPS WORKING WITH CHILDREN, SENIORS, VETERANS AND THE DISABLED

Briefly reviewed by Councilmember Duncan who acknowledged there were many worthy groups vying for the funds but stated his intent was to establish priorities and added targeting areas with the biggest needs would help the process. Acting President Castillo spoke to the issue stating he supported the system as it was.

A motion of Councilmember Duncan, seconded by President Boyajian, to approve Motion #40 failed, by the following vote:

Ayes : Calhoun, Duncan
Noes : Castillo, Dages, Perea, Sterling, Boyajian
Absent : None

MOTION #41 - PLACE A FREEZE ON ALL VACANT POSITIONS IDENTIFIED AS BEING HELD FOR EMPLOYEES OF THE CONVENTION CENTER

Acting President Castillo noted he requested a list of the vacant positions with Assistant City Manager Souza advising staff was currently working on it and clarified 37 positions would be available at all times. Mr. Souza responded to further questions/comments of Acting President Castillo relative to the positions, matching resumes with positions, and leaving positions vacant for as long as needed to transition.

Councilmember Dages stated he wanted something in writing and Councilmember Perea questioned when staff would bring a report back, with Mr. Souza further clarifying issues relative to people and positions, and City Manager Hobbs clarifying positions would be available and staff would submit it in writing. City Attorney Montoy noted the subject motion might be redundant with Motion #34 stating the employee provision was very clear in Global's contract proposal, with Acting President Castillo stating he would keep the motion as is stating he has learned nothing is ever clear.

On motion of Acting President Castillo, seconded by Councilmember Dages, duly carried, RESOLVED, Motion #41 hereby approved, by the following vote:

Ayes : Castillo, Dages, Perea, Sterling, Boyajian
 Noes : Calhoun, Duncan
 Absent : None

MOTION #42 - DEFUND \$22,000 FOR LINE ITEM 53303 FOR PUBLIC RELATIONS AND INFORMATION IN THE CITY MANAGER DEPARTMENT

Councilmember Dages made an addition to have the funds go to the general fund/fire department. Councilmember Calhoun spoke to how he uses public relations funds and how other departments use them, stated this motion was petty and would eliminate something that said and showed good things about the city, and questioned the motive/process noting dollars were taken away from the fire department last Friday and Council was now trying to put them back into the department. City Manager Hobbs requested Council keep these funds as a communication tool with the community and explained and responded to questions of Acting President Castillo relative to advertising and printing. Councilmember Perea spoke in support of the motion and to how he handles public relations in his district.

On motion of Councilmember Dages, seconded by Councilmember Perea duly carried, RESOLVED, Motion #42 hereby approved, by the following vote:

Ayes : Castillo, Dages, Perea, Sterling, Boyajian
 Noes : Calhoun, Duncan
 Absent : None

MOTION #44 - RE-BUDGET \$40,000, OR WHAT EVER FUNDS ARE REMAINING THAT WERE NOT EXPENDED IN FY 2003, FOR THE PINEDALE SPECIFIC PLAN TO FY 2004

Briefly reviewed by Councilmember Calhoun who stated a problem arose with the consultant and contract and asked for Council's support to re-budget the funds stating this was very important to Pinedale residents **(3 - 0)**.

On motion of Councilmember Calhoun, seconded by President Boyajian, duly carried. RESOLVED, Motion #44 hereby approved, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
 Noes : None
 Absent : None

MOTION #45 - IN PUBLIC WORKS CAPITAL, PLACE \$1.2 MILLION IN GENERAL FUND DOLLARS IN CONTINGENCY SO THAT STAFF MAY COME BACK TO REQUEST APPROPRIATIONS

Briefly reviewed by Acting President Castillo who stated he wanted the funds placed into contingency as they were general fund dollars and could be used and leveraged against other projects. Upon question of City Manager Hobbs, Public Works Director Ruiz stated there was no risk of losing grants by putting the funds into contingency but added it was critical to have match funds available and explained. Discussion ensued and questions were presented relative to receiving federal match funds, the administration that would be added to projects by putting the money into contingency, Councilmembers Duncan and Calhoun speaking in opposition stating the motion made no sense and this was a slap at staff and was negative bureaucracy, Councilmember Perea speaking in support stating staff will be able to anticipate ahead of time amount of funds that will be needed, Councilmember Sterling speaking to the uncertainty with the State and possible need to use the funds for other things, and President Boyajian questioning the intent of the motion. Acting President Castillo stated these were general

fund dollars and there was a need to be “stingy” with them, stated if projects do not get started the money could be used for other things, noted no grants would be lost, and added he anticipated items would be coming back to Council on the consent calendar. Councilmember Duncan stated it was important to understand decisions have already made on the projects and they were underway and emphasized all this would do was add a significant burden on staff to provide a report on something Council had to approve anyway.

On motion of Acting President Castillo, seconded by Councilmember Sterling, duly carried, RESOLVED, Motion #45 hereby approved, by the following vote:

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| Ayes | : | Castillo, Dages, Perea, Sterling, Boyajian |
| Noes | : | Calhoun, Duncan |
| Absent | : | None |

Acting President Castillo requested staff include on-going balances in their reports to Council.

City Attorney Montoy requested a recess to consult with Council on the Annual Action Plan.

RECESS - 10:00 A.M. - 10:22 A.M.

1. RECONSIDERATION OF *RESOLUTION 2003-207 - AUTHORIZING THE CITY MANAGER TO SUBMIT THE FY 2004 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS, AND AUTHORIZING THE CITY MANGER TO SIGN ALL HUD DOCUMENTS AND AGREEMENTS

Ms. Montoy stated staff felt it was best to wait until today to submit the AAP to HUD so the Plan would reflect everything determined by Council; requested Resolution No. 2003-207 be reconsidered to fold in Motion #38 and proceed to consider Motions 46, 47 and 51; noted some questions were raised that the motions on the floor may not be lawful and clarified after staff reviewed the motions and HUD regulations it was determined they were legally permissible and met all requirements; and clarified unlike the City budget whatever is submitted to HUD has to be balanced.

On motion of President Boyajian, seconded by Councilmember Dages, duly carried, RESOLVED, reconsideration of Resolution No. 2003-207 hereby approved, by the following vote:

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|--------|---|---|
| Ayes | : | Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian |
| Noes | : | None |
| Absent | : | None |

MOTION #46 - DEFUND THE DOWNTOWN COMMUNITY DEVELOPMENT CORPORATION OF \$230,900 AND PLACE IN PW000237 CONCRETE AND STREET REPAIRS

Councilmember Sterling questioned whether Consumer Credit Counseling (CCC) and the Fair Housing Council needed to stand alone as they were a mandatory part of CDBG funds. Planning and Development Director Yovino clarified the CCC and the Downtown Community Development Corp., and the programs they provide, were not mandated by HUD, however, the program provided by the Fair Housing Council relative to discrimination and fair access to housing for everyone was mandated. Discussion ensued, further questions and clarifications were made, and Councilmember Perea stated he wanted to leave his motion as is.

Mr. Yovino and City Manager Hobbs responded to questions of Acting President Castillo and President Boyajian relative to vacant positions in the housing division and impact of elimination, and the \$586,000 to administer CDBG funds

On motion of Councilmember Perea, seconded by Councilmember Sterling, duly carried, RESOLVED, Motion #46 hereby approved, by the following vote:

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|--------|---|----------------------------------|
| Ayes | : | Castillo, Dages, Perea, Boyajian |
| Noes | : | Calhoun, Duncan, Sterling |
| Absent | : | None |

MOTION #47 - DEFUND CONSUMER CREDIT COUNSELING AND TAKE FUNDS FROM DEFUNDING OF DOWNTOWN COMMUNITY DEVELOPMENT CORPORATION AND USE IT TO EVENLY FUND THE TOP SEVEN RANKED ORGANIZATIONS. IF CHINATOWN REVITALIZATION RELINQUISHES THEIR FUNDING THEIR ALLOCATION WOULD GO TO THE YMCA. ANY FUNDING REQUIRED BY CONTRACTUAL OBLIGATIONS EXCLUDED FROM THIS MOTION

No need to consider since Motion #46 was approved.

MOTION #48 - RE-PRIORITIZE \$600,000 OF PUBLIC WORKS CAPITAL OR FIND SOURCE OF MONEY TO REHABILITATE THE CONVENTION CENTER

President Boyajian stated he felt Council would be tying public works' hands and pulled the motion.

City Attorney Montoy responded to questions of Councilmember Duncan relative to veto power on Motion #46. Councilmember Duncan requested a vote be taken on Motion #47 as an option in case the Mayor vetoes #46 and brief discussion ensued. Assistant City Manager Souza requested, if Council does consider Motion 47, that it be done in an advisory role because the funds could not be spent twice. President Boyajian responded briefly to questions of Acting President Castillo relative to intent of Motion 48.

MOTION #49 - FUND THE CONVENTION & VISITORS BUREAU FOR SIX (6) MONTHS OR UNTIL TRANSITION WITH GLOBAL SPECTRUM

Brief discussion ensued on whether this was already taken care of with the Global contract with Ms. Montoy stating it was implied. Councilmember Dages stated there would be time between the City and Global creating a document/contract and clarified he wanted to make sure the CVB was funded during that interim period. Budget Manager Smith confirmed appropriations were in the budget whereupon Councilmember Dages pulled the motion.

MOTION #50 - FUND THE READY PROGRAM WITH FUNDS USED BY THE CITY FOR CONSULTANTS, WITH THE ADMINISTRATION TO DETERMINE WHICH CONSULTANTS TO USE

(5 - 0) Briefly reviewed by Councilmember Perea who stated he wanted the city manager to determine which consultant contracts to not enter into. Councilmember Calhoun reiterated his concern with motions added after the public hearing had been closed, stated he would abstain, and added Council asking staff to go figure out where to take money from was the easy way out and inappropriate. City Attorney Montoy stated in her legal opinion the first part was fine but the second part was unlawful as Council could not at this time ask staff to find the money.

Councilmember Perea stated his concern was the administration was asking that services be reduced in other parks to fully fund the READY program, stated he felt there were ways to fund both by being creative, pulled his motion stating he could not in good conscience reduce services in some parks to pay for another program, and made a new motion.

ADDED MOTION (#52) - Perea/Dages - DEFUND THE READY PROGRAM AS PROPOSED AND RETAIN THE PROGRAMS THAT WOULD HAVE BEEN REDUCED TO FUND READY

Councilmember Perea further clarified the funding as proposed would negatively impact inner-city parks and services and stressed he supported the READY Program 100% but not at the cost of taking services from some children to give to other children.

Councilmember Duncan stated no public input on such a major education issue like this was why "ambush" motions were bad and should not be made, and stated Council should first ask staff way they were proposing to reallocate parks money stressing the Mayor, city manager or staff would never do anything to hurt kids. City Manager Hobbs stated this was a shifting of priorities and explained staff felt defunding/not paying someone at a park to toss out soccer balls on weekends was the best trade-off for helping to educate kids after school at playgrounds in life issues and serving as a tutorial. Recreation Manager Dean further explained the reduction of weekend hours of operation and staffing, and clarified parks would remain open but indoor facilities would not be open or staffed.

Discussion ensued; questions were presented and clarification was made on the new motion; upon question Mr. Dean advised which indoor park facilities would be closed; Councilmember Sterling expressed her strong concern with the proposal to fund READY stating it was a poor way of compromising seniors and youth; and Mr. Hobbs stated dollars were limited, stressed everyone wanted more money to fund both but staff felt the best trade-off was weekend hours, and added the administration felt the READY Program was critical to the community. Councilmember Sterling spoke briefly to the need for supervision on weekends and Councilmember Dages concurred and commended Councilmember Perea for bringing this motion forward. President Boyajian added maybe advertising at public parks could be considered as a revenue stream to fund both.

On motion of Councilmember Perea, seconded by Councilmember Dages, duly carried, RESOLVED, Motion #52 hereby approved, by the following vote:

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|---------|---|--|
| Ayes | : | Castillo, Dages, Perea, Sterling, Boyajian |
| Noes | : | Duncan |
| Absent | : | None |
| Abstain | : | Calhoun |

MOTION #51 - TAKE \$500,000 FROM DIP, DAP AND LIHP AND PLACE THE FUNDS IN THE MINOR REHABILITATION PROGRAM

Councilmember Calhoun stated he had serious doubts with the legality of the motion stressing there was no adequate research, no public hearing, and the matter came out of the blue. Upon question of Councilmember Perea, President Boyajian explained at length what the programs were and where the funds were being taken from.

On motion of Acting President Castillo, seconded by Councilmember Sterling, duly carried, RESOLVED, Motion #51 hereby approved, by the following vote:

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|---------|---|--|
| Ayes | : | Castillo, Dages, Peres, Sterling, Boyajian |
| Noes | : | Duncan |
| Absent | : | None |
| Abstain | : | Calhoun |

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City Attorney Montoy advised deliberations were completed and stated the necessary Resolutions and Ordinance Bill needed to be formally adopted as amended by the various approved motions, and clarified the action for Resolution No. 2003-207.

Upon question of Councilmember Dages, Ms. Montoy clarified by adopting Motion #36 to defund the Film Commission the film commissioner position was taken off the PAR. Upon question of Acting President Castillo, Ms. Montoy stated Council had until the third week in August to balance the budget and the budget would be adopted on anticipated revenues and expenditures.

President Boyajian thanked the Council Budget Committee and staff for all their work and City Manager Hobbs for his cooperation.

Brief discussion ensued on adopting the following documents together or separately.

1. * RESOLUTION 2003-207 - AUTHORIZING THE CITY MANAGER TO SUBMIT THE FY 2004 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), AND EMERGENCY SHELTER GRANT (ESG) PROGRAM FUNDS, AND AUTHORIZING THE CITY MANGER TO SIGN ALL HUD DOCUMENTS AND AGREEMENTS (ADOPTION REAFFIRMED)

On motion of Acting President Castillo, seconded by Councilmember Perea, duly carried, RESOLVED, adoption of Resolution No. 2003-207 hereby reaffirmed, by the following vote:

Ayes : Castillo, Dages, Perea, Sterling, Boyajian
 Noes : Duncan
 Absent : None
 Abstain : Calhoun

2. * RESOLUTION NO. 2003-209 - ADOPTING THE FY 2004 CITY OF FRESNO BUDGET INCLUDING THE CDBG BUDGET AND THE ANNUAL APPROPRIATION RESOLUTION (AAR), as amended

Councilmember Duncan stated he was disappointed in the budget stating it hurt the fire department, at-risk children and programs, and the city in the areas of economic development and job creation “big time” , and stated it added bureaucracy for no reason whatsoever.

On motion of Acting President Castillo, seconded by Councilmember Sterling duly carried, RESOLVED, the above entitled Resolution No 2003-209 hereby adopted, as amended, by the following vote:

Ayes : Calhoun, Castillo, Dages, Perea, Sterling, Boyajian
 Noes : Duncan
 Absent : None

3. *RESOLUTION NO. 2003-210 - ADOPTING THE POSITION AUTHORIZATION RESOLUTION (PAR), as amended

On motion of Acting President Castillo, seconded by President Boyajian, duly carried, RESOLVED, the above entitled Resolution No. 2003-210 hereby adopted, as amended, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
 Noes : None
 Absent : None

4. * RESOLUTION NO. 2003-211 - ADOPTING THE 409TH AMENDMENT TO THE MASTER FEE SCHEDULE (MFS) RES. 80-420 (ANNUAL AMENDMENT), as amended

On motion of Acting President Castillo, seconded by President Boyajian, duly carried, RESOLVED, the above entitled Resolution No. 2003-211 hereby adopted, as amended, by the following vote:

Ayes : Calhoun, Castillo, Perea, Sterling, Boyajian
 Noes : Dages, Duncan
 Absent : None

5. * BILL NO B-57 - ORDINANCE NO. 2003-57 - (INTRODUCTION AND ADOPTION) ADOPTING THE PROPERTY TAX OVERRIDE (PTO) ORDINANCE, as amended

On motion of Acting President Castillo, seconded by President Boyajian, duly carried, RESOLVED, the above entitled Bill No. B-57 adopted as Ordinance No. 2003-57, as amended, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
 Noes : None
 Absent : None

6. RESOLUTION NO. 2003-212 - SELECTING METHODOLOGY FOR DETERMINING FY 2004 GANN APPROPRIATION LIMIT, as amended

On motion of Acting President Castillo, seconded by President Boyajian, duly carried, RESOLVED, the above entitled Resolution No. 2003-212 hereby adopted, as amended, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
 Noes : None

Absent : None

141-305

6/30/03

7. * RESOLUTION NO. 2003-213 - ESTABLISHING RULES FOR THE APPLICATION OF CITY EMPLOYEE COMPENSATION RATES AND SCHEDULES AND RELATED REQUIREMENTS, AND ESTABLISHING COMPENSATION RATES AND SCHEDULES (FY 04 SALARY RESOLUTION), as amended

On motion of Acting President Castillo, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled Resolution No. 2003-213 hereby adopted, as amended, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Noes : None
Absent : None

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(B) BILLS FOR INTRODUCTION RELATING TO RECOVERY OF COSTS AND PENALTIES INCURRED OR IMPOSED

1. * BILL NO. B-58 - ADDING ARTICLE 20 TO CHAPTER 6 OF THE FRESNO MUNICIPAL CODE RELATING TO HAZARDOUS SPILLS EXPENSE RECOVERY

Interim Chief Aranaz gave a brief overview of the issue as contained in the staff report as submitted.

Barbara Hunt, 2475 S. Walnut, spoke in opposition.

On motion of Acting President Castillo, seconded by Councilmember Sterling, duly carried, RESOLVED, the above entitled Bill No. B-58 introduced before the Council and laid over, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Noes : None
Absent : None

2. * BILL NO. B-59 - AMENDING SECTIONS OF THE FRESNO MUNICIPAL CODE RELATING TO RECOVERY OF COST AND PENALTIES INCURRED OR IMPOSED IN ENFORCEMENT OF NUISANCE ABATEMENT ACTIONS

Budget Manager Smith gave a brief overview of the issue as contained in the staff report as submitted.

Barbara Hunt, 2475 S. Walnut, spoke in opposition.

A motion and second was made to approve staff's recommendation. City Attorney Montoy responded to questions of Councilmembers Calhoun and Duncan relative to whether this changed the modification in Motion #2 and if it impacted the fire inspection fee.

On motion of Acting President Castillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Bill No. B-59 introduced before the Council and laid over, by the following vote:

Ayes : Calhoun, Castillo, Dages, Duncan, Perea, Sterling, Boyajian
Noes : None
Absent : None

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Acting President Castillo noted this was his third year in passing a budget and stated it was no different than the past, and stated Council had to prioritize and may have to go even further and stated he hoped everyone would keep an open mind.

141-306

6/30/03

Councilmember Perea stated comments were made relative to Fire Station No. 15 and the fire station renovations and clarified there were two separate pots of money for those projects and explained, and relative to the READY Program clarified Council was saying no at this time because another funding source needed to be identified and setting kids against kids was a poor way to set policy.

President Boyajian thanked Council for being so flexible these past few week and for putting the City's work before their own.

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ADJOURNMENT

There being no further business to bring before the City Council, the hour of 11:47 p.m. having arrived and hearing no objections, President Boyajian declared the special meeting adjourned.

APPROVED on the ____15th____day of July, 2003.

_____/s/_____
Tom Boyajian, Council President

ATTEST:_____/s/_____
Yolanda Salazar, Assistant City Clerk

141-307

6/30/03